

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of*: McLampy, et al.

Serial No.: 09/911,304

Group No.: 2662

Filed: July 23, 2001

Examiner: Cho, Hong Sol

For*: System and Method for Providing Rapid Rerouting of Real-Time Multi-Media Flows

☐ Patent No.:

Issued:

NOTE: Insert name(s) of inventor(s) and title also for patent. Where the refund request is with respect to a maintenance fee payment also insert application serial number and filing date.

Mail Stop 16
Director of the US Patent and
Trademarks Office
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: Refund Section, Accounting Division, Office of Finance
REQUEST FOR REFUND
(37 C.F.R. 1.28(a))

NOTE: 37 C.F.R. § 1028(a) "(a) Refunds based on later establishment of small entity status. A refund pursuant to §1.26, based on establishment on small entity status, of a portion of fees timely paid in full prior to establishing status as a small entity may only be obtained if an assertion under § 1.27(c) and a request for refund of the excess amount are filed within three months of the date of the timely payment of the full fee. The three-month time period is not extendable under §1.136. Status as small entity is waived for any fee by the failure to establish the status prior to paying, at the time of paying, or within three months of the date of payment of, the full fee."

NOTE: Submission of a Change of Status (small/not small entity status) after issuance of the Notice of Allowance in an application does not result in a reduction in patent term adjustment under 37 C.F.R. §1.704(c)(1). See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.

CERTIFICATE OF MAILING (37 C.F.R. 1.8)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being
MAILING

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope to the: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ with sufficient postage as first class mail.
C.F.R. § 1.8(a)

39

☐ as "Express Mail Post Office to Addressee"
Mailing Label No.: (mandatory).
37 C.F.R. §1.10

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office (703)

Date:

Jan. 31, 2006

Anne Antonoff
Signature - Anne Antonoff

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PATENT

I. SUBMISSION OF SMALL ENTITY ASSERTION

- ☒ Attached is an assertion of small entity status in this application.
☐ An assertion of small entity status was filed in this application on

II. REFUND REQUEST

This request for refund is made within three months of the date a fee was paid in this application on (date) 11/21/05 in the amount of \$ 320.00.

NOTE: *The two-month period (§ 1.28(a)) is not included in the provisions for extension under 37 C.F.R. 1.136 since it is not a period for response. Notice of November 30, 1983, 49 FR 548, January 4, 1984.*

III. FEES PAID FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> filing fee	\$
<input type="checkbox"/> surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e)) and/or	\$
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))	\$
<input type="checkbox"/> extension of term	\$
<input type="checkbox"/> issue fee	\$
<input type="checkbox"/> patent maintenance fee	\$
<input type="checkbox"/> first maintenance fee	\$
<input type="checkbox"/> second maintenance fee	\$
<input type="checkbox"/> third maintenance fee	\$
<input type="checkbox"/> patent maintenance fee surcharge.	

NOTE: *The refund provisions of § 1.28(a) for later submitted small entity statements apply to maintenance fees. Notice of July 30, 1984, 1046 O.G. 28-37*

- ☒ other: Independent claim, and one month extension of time \$ 160.00

TOTAL REFUND REQUESTED \$ 160.00

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PATENT

IV. MANNER OF REFUND

Please make refund by:

- ☒ Deposit Account No. 20-0778.
- ☐ Credit card as shown on the attached credit card information authorization form PTO-2038.
- ☐ Refunding overpayment



Karen G. Hazzah, Reg. No. 48,472

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**
100 Galleria Parkway, Suite 1750
Atlanta, Georgia 30339-5948
770-933-9500

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Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (08/00)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>	Attorney Docket No.	050115-1070
	First Inventor	Patrick J. McLampy et al.
	Title	SYSTEM AND METHOD FOR PROVIDING RAPID REROUTING OF REAL-TIME MULTI-MEDIA FLOWS
	Express Mail Label No.	EL789318366US

APPLICATION ELEMENTS <small>See MPEP Chapter 600 concerning utility patent application contents</small>	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
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<input type="checkbox"/> APPLICANT REQUESTS EARLY PUBLICATION UNDER 37 CFR 1.219 (additional fee)	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original, and a duplicate for fee processing)</small>	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input checked="" type="checkbox"/> Applicant's oath or declaration	8. Nucleotide and/or Amino Acid Sequence Submission <small>(if applicable, all necessary)</small>
3. <input checked="" type="checkbox"/> Specification <small>(preferred arrangement set forth below)</small> (Total Pages 47)	a. <input type="checkbox"/> Computer Readable Copy (CRF)
<ul style="list-style-type: none">- Descriptive title of the invention- Cross References to Related Applications- Statement Regarding Fed. Sponsored R&D- Reference to sequence listing, a table, or a computer program listing appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure	b. Specification Sequence Listing on: <ul style="list-style-type: none">i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); orii. <input type="checkbox"/> Paper
4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) (Total Sheets 7)	c. <input type="checkbox"/> Statements verifying identity of above copies
5. Oath or Declaration (Total Pages 2)	
a. <input checked="" type="checkbox"/> Newly Executed (original or copy)	
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 18 completed)</small>	
i. <input type="checkbox"/> DELETION OF INVENTOR(S) <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small>	
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	
Assignee Name and Address <small>(if applicable)</small>	

ACCOMPANYING APPLICATION PARTS	
9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & Documents(s))	
10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <small>(when there is an assignee)</small>	<input type="checkbox"/> Power of Attorney
11. <input type="checkbox"/> English Translation Document (if applicable)	
12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
13. <input type="checkbox"/> Preliminary Amendment	
14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small>	
15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small>	
16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.	
17. <input type="checkbox"/> Other:	

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: /

Prior application Information: Examiner _____ Group / Art Unit: _____

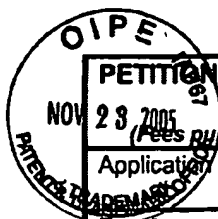
For CONTINUATION OR DIVISIONAL APPS only: the entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS			
<input checked="" type="checkbox"/> Customer Number or Bar Code Label 24504 <small>(Insert Customer No. or Attach bar code label here)</small> or <input type="checkbox"/> Correspondence address below			
NAME	Scott A. Horstemeyer, Reg. No. 34,183 Thomas, Kayden, Horstemeyer & Risley, L.L.P.		
ADDRESS	100 Galleria Parkway Suite 1750		
CITY	Atlanta	STATE	Georgia
COUNTRY	U.S.A.	TELEPHONE	770-933-9500
		ZIP CODE	30339-5948
		FAX	770-951-0931

Name (Print/Type)	Peter A. Nieves	Registration No. (Attorney/Agent)	48,173
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
FY 2005**

Docket No.
050115-1070

(Fees pursuant to the Consolidated Appropriations act, 2005 (H.R. 4818).)

Application Number: **09/911,304**

Filed: **July 23, 2001**

For: **System and Method for Providing Rapid Rerouting of Real-Time Multimedia Flows**

Art Unit: **2662**

Examiner: **Cho, Hong Sol**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	<u>Fees</u>	<u>Small Entity</u> <u>Fees</u>
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60 \$120.00
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225 \$
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510 \$
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795 \$
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080 \$
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		
<input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.	11/25/2005 DTESSEN1 00000057 09911304 02 FC:1251	120.00 OP
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.		
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.		
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any deficiencies in fees which may be required, or credit any overpayment to Deposit Account No. 20-0778. A duplicate copy is enclosed.		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).
- ☒ attorney or agent of record. Registration Number 48,472
- ☐ attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____

Karen G. Hazzah
Karen G. Hazzah, Reg. No. 48,472

Nov 21, 2005
Date

770-933-9500
Telephone Number

☒ Total of 1 forms are submitted.

The collection of information is required by CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, US Patent and Trademark Office, US Department of Commerce, PO Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450.

Adjustment date: 02/23/2006 SFELEKE1
11/25/2005 DTESSEN1 00000057 09911304
02 FC:1251 -120.00 OP

02/23/2006 SFELEKE1 00000005 09911304

02 FC:2251

60.00 OP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

MeLampy et al.

Serial No.:

09/911,304

Filed:

July 23, 2001

For:

System and Method for Providing Rapid
Rerouting of Real-Time Multimedia Flows

Group Art Unit:

2662

Examiner:

Cho, Hong Sol

Docket No.:

050115-1070

*OK to enter
hc*

SECOND RESPONSE AND AMENDMENT

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit the following amendment and remarks to the final Office Action
mailed from the United States Patent and Trademark Office on August 15, 2005 (Paper No.
08122005).

AUTHORIZATION TO DEBIT ACCOUNT

It is not believed that additional fees are required, beyond those which may otherwise be
provided for in the documents accompanying this paper. However, in the event that additional
fees are necessary to allow consideration of this paper, such extensions are hereby petitioned
under 37 C.F.R. §1.136(a), and any fees required (including fees for net additions of claims) are
hereby authorized to be charged to 20-0078.

~~11/25/2005 DTESSEH1 00000057 09911304~~

~~01 FC:1201 -200.00 DP~~

Adjustment date: 02/23/2006 SFELEKE1
~~11/25/2005 DTESSEH1 00000057 09911304~~
~~01 FC:1201 -200.00 DP~~

02/23/2006 SFELEKE1 00000005 09911304

01 FC:2201 100.00 DP

Rep'n. Ref: 02/23/2006 SFELEKE1 0013141900
DAH: 200778 Name/Number: 09911304
FC: 9204 \$160.00 CR